



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

October 8, 2021

By ECF and Electronic Mail

Honorable Analisa Torres
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Knight First Amendment Institute at Columbia University v.
Centers for Disease Control and Prevention and U.S. Department of
Health and Human Services*, 20 Civ. 2761 (AT)

Dear Judge Torres:

This Office represents defendants Centers for Disease Control and Prevention (“CDC”) and U.S. Department of Health and Human Services (together, “Defendants”) in the above-referenced matter, which was brought pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). Pursuant to the Court’s opinion and order dated September 17, 2021 (ECF No. 54 (the “Order”)), enclosed is the declaration of Michelle Bonds, which addresses that the Draft CDC Communication and Media Strategy for the Coronavirus Disease 2019 Response (referred to as “Document 12” in the Court’s Order), along with all iterations and drafts of it, were never operative. *See* Order at 36. The CDC is separately submitting Document 12 under seal for *in camera* review. *See id.*

We thank the Court for its consideration of this submission.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney for the
Southern District of New York

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Encl.

cc: All counsel of record via ECF